

**Remarks/Arguments:**

Claims 27, 28 and 35 are pending in the above-identified application.

Claims 27, 28 and 35 were objected to for informalities. These informalities have been corrected.

Claim 28 was rejected under 35 U.S.C. § 112 for insufficient antecedent basis. Claim 28, as amended, does not lack insufficient antecedent basis.

Claim 27 was rejected under 35 U.S.C. § 103 (a) as being obvious in view of Rapoport et al. and Wahl. Claim 27 is amended to include,

... recording media for **recording the depth image**...

...object extracting means of extracting only an object which exists less than a depth distance denoted by a user, or only an object which exists within a range of a depth distance denoted by the user **by using the recorded depth image**.  
(Emphasis added).

Basis for these amendments may be found in the specification at page 55, lines 13-18 and Figure 28. With regard to claim 27, Rapoport et al. does not disclose or suggest recording media for recording a depth image and object extracting means which uses the recorded depth image to extract an object. Rapoport et al. records a visual image of a scene at a certain depth. Rapoport does not record a depth image. The camera in Rapoport et al. uses the opening and closing of a gate combined with a laser pulse to illuminate a target at a certain depth. A target is viewed only during the time all or a portion of the returning laser pulse overlaps with the time the camera gate is open. (Col. 5, lines 45-57). The amount of overlap is determined by setting a pulse width to the gate delay signal after the depth of the object is determined. Rapoport et al. does not display an entire image. The target, which exists at certain depth, is the final image viewed. The rest of the image is not observed at all. (Col. 5, line 51). Thus, Rapoport et al. does not disclose recording a depth image of any kind. Applicant's claimed features of recording a depth image and object extracting means which use the recorded depth image to extract an object

is advantageous over the prior art because an image of an object can be viewed without predetermining the distance of the object.

Wahl also does not disclose or suggest recording media for recording a depth image and object extracting means which uses the recorded depth image to extract an object. Wahl teaches measuring surface depth values in three dimensions. Wahl does not, however, suggest recording a depth image of any kind. Because neither Rapoport et al., nor Wahl disclose or suggest the features of claim 27, claim 27 is not subject to rejection under 35 U.S.C. § 103(a) in view of Rapoport et al. and Wahl. .

Claim 35 was rejected under 35 U.S.C. § 103 (a) as being obvious in view of Rapoport et al., Wahl and Yahav et al. Rapoport et al. and Wahl are described above. Yahav et al. teaches an apparatus for creating an image indicating distances to objects in a scene. Yahav et al. does not, however, disclose or suggest recording media for recording a depth image and object extracting means which uses the recorded depth image to extract an object. Because neither Rapoport et al., Wahl, nor Yahav et al. disclose or suggest the features of claim 27, claim 27 is not subject to rejection under 35 U.S.C. § 103(a) in view of Rapoport et al., Wahl and Yahav et al. Claim 35 depends from claim 27. Accordingly, claim 35 is also not subject to rejection under 35 U.S.C. § 103(a) in view of Rapoport et al., Wahl and Yahav et al.

Claim 28 was rejected under 35 U.S.C. § 103 (a) as being obvious in view of Rapoport et al., Wahl, Katayama et al. and Takaha. Rapoport et al. and Wahl are described above. Katayama et al. teaches a method of extracting the region of a subject image from an input image. Katayama et al. does not, however, disclose or suggest recording media for **recording a depth image** and object extracting means which **uses the recorded depth image** to extract an object. Takaha teaches designating positions of contour points by employing an operation input apparatus so that a contour region of an initial region containing a desirable subjective object image is designated. Takaha does not, however, disclose or suggest recording media for **recording a depth image** and object extracting means which **uses the recorded depth image** to extract an object.

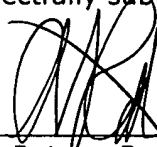
Application No.: 10/759,831  
Amendment Dated: September 18, 2006  
Reply to Office Action of: June 19, 2006

MTS-3185US4

Because neither Rapoport et al., Wahl, Katayama et al., nor Takaha. disclose or suggest the features of claim 28, claim 28 is not subject to rejection under 35 U.S.C. § 103(a) in view of Rapoport et al., Wahl, Katayama et al. and Takaha. Claim 28 depends from claim 27. Accordingly, claim 28 is also not subject to rejection under 35 U.S.C. § 103(a) in view of Rapoport et al., Wahl, Katayama et al. and Takaha.

In view of the foregoing amendments and remarks, this Application is in condition for allowance which action is respectfully requested.

Respectfully submitted,



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Dated: September 18, 2006

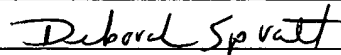
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